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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LANCE CRAFTS,

Plaintiff,

v.

ACTION REVENUE RECOVERY, LLC,

Defendant.

Case No.: 3:19-cv-00497-MMD-WGC

ANSWER TO COMPLAINT

In accordance with Fed. R. Civ. P. 8(b)(3), Defendant Action Revenue Recovery, LLC (“Action Revenue”) generally denies all allegations contained in the Complaint on file herein (the “Complaint”), except as follows:

1. Action Revenue admits that it is a limited liability company created pursuant to the laws of the State of Louisiana.

2. Action Revenue admits it is a “debt collector” within the meaning of the Fair Debt Collection Practices Act.

3. Action Revenue admits this Court has subject matter jurisdiction over this dispute, and the United States District Court for the District of Nevada is the proper venue for this matter.

4. With regard to all alleged facts relating to the written communication at issue in this action, the written communication speaks for itself.

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AFFIRMATIVE DEFENSES

As and for separate affirmative defenses, Action Revenue alleges:

FIRST AFFIRMATIVE DEFENSE

The Plaintiff has failed to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

The Plaintiff has suffered no damages.

THIRD AFFIRMATIVE DEFENSE

Action Revenue has complied in full with all provisions of the Fair Debt Collection Practices Act.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff is barred from obtaining the relief sought in the Complaint by the doctrines of estoppel, waiver, laches, unclean hands, and/or other equitable doctrines.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred in whole or in part because Plaintiff consented to, ratified, or acquiesced in all of the alleged acts or omissions of which Plaintiff complains.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff's damages, if any, were not proximately or legally caused by any of the actions of Action Revenue.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff lacks standing to bring or maintain the claims asserted in the Complaint.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred because Action Revenue at all times complied and acted in good faith with all applicable statutes and regulations.

NINTH AFFIRMATIVE DEFENSE

Action Revenue specifically denies that it acted with any knowledge, willfulness, oppression, fraud, or malice towards Plaintiff.

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TENTH AFFIRMATIVE DEFENSE

Defendant is entitled to an offset against any amounts awarded to the extent that Plaintiff owes money to Defendant on any loan.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred because the alleged acts or omissions of Action Revenue, if any, were the result of an unintentional mistake that was technical in nature and a bona fide error notwithstanding reasonable procedures implemented by Action Revenue to avoid any such acts or omissions. Action Revenue at all times acted in a reasonable manner in connection with the transactions at issue in this action.

PRAYER FOR RELIEF

WHEREFORE, having fully answered Plaintiff's Complaint, Action Revenue prays for relief as follows:

1. That the Complaint be dismissed, with prejudice, and that Plaintiff take nothing thereby;
2. That Plaintiff's claims be forever barred;
3. That Defendant be granted its attorneys' fees and costs as permitted by law; and
4. For such other relief as this Court may deem just and proper.

DATED this 11th day of October, 2019.

/s/Patrick J. Reilly
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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that the foregoing **ANSWER TO COMPLAINT** was served via electronic service on the 11th day of October, 2019, to the addresses shown below:

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